

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2011**

Present: Mayor Joe Jerkins
Kirsten Anderson
Trudie Causey
Randy Green
Virginia Reagan
Martin Standard
Scott Thomas

The regular meeting of the Mayor and the City Council was held on Monday, November 7, 2011 at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Carolyn Duncan, City Clerk; Sandra Farmer, Deputy City Clerk; General Administration; Randy Bowens, Public Works Director; Jim Graham, Community Affairs Director; Bob Starrett, Police Chief; Tim Williams, Fire Chief.

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Reverend Clay Henry gave the Invocation and Mayor Jerkins led the Pledge of Allegiance. Mayor Jerkins asked if any Council Member would like to add items to the Agenda. Ms. Anderson stated she would like to add Item 8A. – Calendar Change for Christmas Holidays and 8B. New Year’s Holiday Date.

Mayor Jerkins presented Captain Brandon Merritt with a plaque for his fifteen years of service. Mayor Jerkins thanked him for his years of service and stated he had been an excellent employee.

Mr. Thomas also presented Captain Merritt with a fifteen year pin and thanked him for his years of service with the City.

Mayor Jerkins presented Firefighter Chris Chabot with a plaque for his ten years of service. Mayor Jerkins thanked him for his years of service and stated he was a good employee.

Mr. Thomas presented Firefighter Chabot with a ten year pin and thanked him for his years of service with the City.

2. CONSENT AGENDA – INFORMATION AND UPDATE

(No Action Required by Council – See Specific Department Director before Meeting.)

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills \$737.50
- C. Approve Minutes of Regular Council Meeting October 3, 2011

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*Mr. Thomas moved to follow the recommendation to approve the Consent Agenda.
Seconded by Ms. Reagan. Motion passed (6-0).*

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Mr. Tony Cain stated he had been out campaigning today for the candidate of my choice for City Council. My choice is Virginia Reagan. She is opposed by Lance Lamberton. Mr. Lamberton and his wife have been taking my campaign flyers that I have been putting out to the residences of Austell. I don't know just exactly how many they have picked up but it is probably around a thousand. I witnessed today Cheryl Lamberton the wife of Lance Lamberton taking campaign flyers that I had just put out on Doe Run. I came around a sort of island area and there was a red Solara convertible and the woman got out of her car and picked up the flyers I had just put out minutes before. I knew it was Cheryl because I know her. I am in my car and I followed her down the road and watched her repeatedly pickup my campaign flyers. Finally, I drove up beside her and she was looking at me and I asked her why she was picking up my campaign flyers and I was asking her through my open window because she was still in her car and I was in my car. She asked me if I was Randy Green and I said no, I am not. I started to say I am Tony Cain and she said you are Randy Green. I don't know why she didn't recognize me. She should have recognized me but I guess she was rather excited. Then she started taking pictures of me and my car and my license tag. I took down her license tag. I told her not to take down anymore of my flyers because that is illegal. She stated she was going to take all of them and then she called her husband on the cell phone. I then left the subdivision and I saw Lance Lamberton coming into the subdivision in his station wagon and saw him on his cell phone. I then went home and I called Ms. Reagan and told her what had happened. I asked her what she wanted to do and she said she didn't know. I told her I had put out all these flyers and I was pretty upset about it. I went out to check the other subdivisions to see if she had taken more flyers and about half the flyers I put out today are gone from the entire subdivision not like one house here and one house there. It's like she has cleaned out the entire subdivision. So, I went around again, off Joe Jerkins Blvd., and I believe its Rolly Street and they were both in Lance's car together taking the flyers and I watched them. I am driving up and of course Lance recognizes me so I then said Lance don't take my flyers. Lance stated I was littering and then Cheryl says we are going to take all of them. We will work all night and we are going to take all of these flyers. I said don't do that please don't take my flyers. The flyer is from the South Cobb PATCH which is a newspaper and this is the two sided flyer I was distributing. It is a newspaper article by reporter Kiri Walton. Austell's candidate wife denies claims of domestic abuse. It is her reports to the Austell Police Department his intoxication, his anger, grabbing her and having fits. This is the report we were distributing. We were putting them in plastic bags and putting some rocks in the bottom and tossing it out.

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What Lamberton was seen doing on Saturday was taking the flyer out and leaving the plastic bag with the rocks in it and this was in Deerfield subdivision. He was taking the flyer out and leaving the plastic bag and I have a few dozen of these I picked up from the houses which may have Mr. Lamberton's prints on them. Today, Lance and Cheryl Lamberton were taking the bags and everything. I would like for all of you to have a copy of this report and if anyone else would like a copy you may have one. I have quite a few copies of this report. It is copied from the South Cobb PATCH and it has been published and it is a newspaper and it is the reporter's article. Mr. Green stated just for the record Mr. Cain is not Randy Green. Mr. Cain stated since the reporter is present I think she can confirm this is her article. Mr. Thomas asked Mr. Cain did they tell you they were going to do that all night long. Cheryl said that, and Lance did as well. Mr. Thomas asked Mr. Cain when you told them it was against the law what did they say. They said they would do it all night long. Mr. Cain stated he never threatened them in any way. I just said it is illegal and you could end up in trouble with the police. This is where we are and I did witness it I have been out there all day today and we did see it for ourselves.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated Mr. Kimbrough attended the meeting two weeks ago and the normal gas rate was adopted. It is the twenty-first month in a row that we are the provider with the lowest rates for natural rates in the deregulated markets.

**7. FINANCE DEPARTMENT
VIRGINIA REAGAN, CHAIRPERSON
Denise Soesbee, Director**

A. Financial Report

**8. GENERAL ADMINISTRATION
KIRSTEN ANDERSON, CHAIRPERSON
Carolyn Duncan, Director**

A. Calendar Change for Christmas Holidays

Ms. Anderson stated we have 8A. - Calendar Change for Christmas Holidays. The Christmas holiday set for last year on the 2011 calendar reflects the City closing at twelve noon on the 21st of December and re-opening on Monday morning December 27th.

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Traditionally, the City has given its employees Christmas Eve as well as Christmas Day as holidays. Since the 24th falls on Saturday and the 25th Christmas Day falls on Sunday this year, the employees are allowed to substitute a day for the 24th and the 25th. Since many companies and surrounding municipalities observe the 26th we recommend changing the calendar and close the City at noon on the 22nd and return on Tuesday, December 27th.

Ms. Anderson moved to follow the recommendation of the General Administration Committee to approve the Calendar Change for Christmas Holidays. Seconded by Ms. Reagan. Motion passed (6-0).

B. Calendar Change for New Year's Holiday

Ms. Anderson stated we have a calendar change for January 2, 2012 and we do not have the 2012 Calendar as of yet. We recommend closing the City on Monday, January 2, 2012 due to the holiday falling on Sunday. We will return on Tuesday, January 3, 2012.

Ms. Anderson moved to follow the recommendation of the General Administration Committee to change the holiday for New Year's Day since it falls on Sunday. We will close the City on Monday, January 2, 2012 and return on January 3, 2012. Seconded by Mr. Thomas. Motion passed (6-0).

**9. POLICE DEPARTMENT
VIRGINIA REAGAN, CHAIRPERSON
Bob Starrett, Police Chief**

- A. Police Report
- B. Code Enforcement Report

**10. FIRE DEPARTMENT
SCOTT THOMAS, CHAIRPERSON
Tim Williams, Fire Chief**

CALL TO ORDER
Years of Service Awards

Captain Brandon Merritt – 15 Years of Service
Firefighter Chris Chabot - 10 Years of Service

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A. Fire Report

**11. PUBLIC WORKS DEPARTMENT
MARTIN STANDARD, CHAIRPERSON
Randy Bowens, Director**

A. Adoption of 2012 Water Rate Schedule

Mr. Standard stated it is the recommendation of the Public Works Committee to adopt the following water rate increases as proposed by Keck and Wood, Inc. to become effective January 1, 2012. The governmental contractual water rate would be increased by 8 percent, or 17¢, per 1,000 gallons.

The City's water and sewer revenue bonds have been fully retired thus eliminating the obligation for debt service coverage of 20 percent above the debt service, operations, and maintenance costs for the water system. Without the coverage factor, water rates should be adjusted upward 17¢ per 1,000 gallons to recognize the latest changes to Cobb County Marietta Water Authority's rates.

Inside City:

	<u>Current</u>	<u>Proposed</u>
First 2,000 Gallons (minimum bill)	\$6.84	\$7.18
2,001 gallons to 7,000 gallons	\$3.49	\$3.66
7,001 gallons to 15,000 gallons	\$4.12	\$4.29
15,001 gallons and above	\$6.02	\$6.19

Outside City:

	<u>Current</u>	<u>Proposed</u>
First 2,000 gallons (minimum bill)	\$7.34	\$7.68
2,001 gallons to 7,000 gallons	\$3.49	\$3.66
7,001 gallons to 15,000 gallons	\$4.12	\$4.29
15,001 gallons and above	\$6.02	\$6.19

The rate schedule above is based on the required Metropolitan North Georgia Water Planning District's Water Supply and Water Conservation Management Plan's three-tiered rate structure. The purpose of this structure is to encourage water conservation.

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Mr. Standard moved to follow the recommendation of the Public Works Committee to approve the Adoption of 2012 Water Rate Increase Schedule. Seconded by Mr. Thomas. Motion passed (6-0).

B. Adoption of 2012 Wastewater Rate Schedule

Mr. Standard stated it is the recommendation of the Public Works Committee to adopt the following wastewater rate increases as proposed by Keck and Wood, Inc. to become effective January 1, 2012. The governmental contractual wastewater rate would be increased by 2 percent per 1,000 gallons. Therefore, the proposed rates would be adjusted upward 8¢ per 1,000.

The City's water and sewer revenue bonds have been fully retired thus eliminating the obligation for debt service coverage of 20 percent above the debt service, operations, and maintenance costs for the water system. Without the coverage factor, wastewater rates should be adjusted upward an additional 8¢ per 1,000 gallons to recognize the latest changes to Cobb County Water System's rates.

	<u>Current</u>	<u>Proposed</u>
Inside City (Per 1,000 Gallons)	\$5.83	\$5.91
Outside City (Per 1,000 Gallons)	\$6.09	\$6.17
Austell Box Board Corporation (Per 1,000 Gallons)	\$5.83	\$5.91

Mr. Standard moved to follow the recommendation of the Public Works Committee to approve the Adoption of 2012 Wastewater Rate Schedule. Seconded by Ms. Anderson. Motion passed (6-0).

C. City Website

Mr. Standard stated in April 1999, the City's website was first created. Since then, the current website has undergone one complete re-design and revision, approved by City Council on April 7, 2008.

To make our website more user friendly, revisions will include a new design and color scheme, adding more online services, and updating the information for all departments.

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Mr. Standard moved to follow the recommendation of the Public Works Committee to approve the City Website. The funding in the amount of \$4,200.00 will come from each department/division in the amount of \$210.00 each. Seconded by Ms. Reagan. Motion passed (6-0).

D. Whitewater Court Re-Surfacing

Mr. Standard stated in recent years, the Water Department has had to make numerous repairs to the water main on Whitewater Court, each time having to excavate different areas. Those repairs have now been complete.

The Public Works Department has requested bids for the resurfacing of Whitewater Court. To date, only one bid has been received, as follows:

Cruse Paving, Inc.	\$24,509.06
Chambers and Sons Paving	No Response

Mr. Standard moved to follow the recommendation of the Public Works Committee to approve a contract with Cruse Paving, Inc. in an amount not to exceed \$24,509.06 and to waive the three Bid Rule. Seconded by Ms. Causey. Motion passed (6-0).

E. Millstone Court and Millstone Drive Sidewalk Project

Mr. Standard stated the purpose is to install approximately 760 linear feet of new sidewalks along Millstone Court and Millstone Drive.

In our continuing effort to provide sidewalk connectivity to various parts of the City, staff has talked with residents, as well as left flyers, for residents of the subject area.

Mr. Standard moved to follow the recommendation of the Public Works Committee to approve the installation of sidewalks along Millstone Court and Millstone Drive at an estimated cost of \$4,500.00 for materials. Construction of the new sidewalks will be completed in-house. Funding will come from the Special Purpose Local Option Sales Tax, Fund 325, account 4210 (DOT Projects), 54.1400 (Infrastructure). Seconded by Ms. Reagan. Motion passed (6-0).

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12. PARKS DEPARTMENT

**RANDY GREEN, CHAIRPERSON
Jim Graham, Director**

A. Request to Use Legion Park Senior Center Building

Mr. Green stated the Parks Committee has received a request from GSA to renovate and occupy the Old Senior Center building at Legion Park. They propose to use it for an indoor baseball/softball training center and the main headquarters for the association. This proposal is open for discussion and/or approval. Mr. Green stated we discussed this in Pre-Agenda and are there any questions. Mr. Graham stated can we request there be no cost to the City of Austell. Mr. Green stated we will make sure there is no cost to the City of Austell.

Mr. Green moved to follow the recommendation of the Parks Committee to approve the request to use Legion Park Senior Center Building with no cost to the City. Also, Mr. Kimbrough stated contingent upon the title being free and clear from the County. Seconded by Ms. Reagan. Motion passed (6-0).

13. COMMUNITY DEVELOPMENT DEPARTMENT

**TRUDIE CAUSEY, CHAIRPERSON
Jim Graham, Director**

A. Approval of Contracts for PH II LCI

Ms. Causey stated the Community Affairs Committee recommends approval of the following LCI contracts: (4) Broad, Mulberry and Sweetwater Streets.

- 1.) GDOT/City construction contract
- 2.) Triscapes Construction (contractor)
- 3.) Keck & Wood (construction oversight)
- 4.) Jack Burnside (construction administration)

Ms. Causey moved to follow the recommendation of the Community Affairs Committee to approve the following LCI PH II Streetscape Project Contract Approvals (4) Broad, Mulberry and Sweetwater Streets. Correction to Page 2, 3rd sentence down should read Joe Jerkins Blvd. Seconded by Mr. Thomas. Motion passed (6-0).

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Mayor Jerkins asked if there were any questions or discussion. Ms. Reagan stated, yes, on Page 2, the third sentence down it reads Washington Street and it should be Joe Jerkins Blvd. Correction was made in the motion.

Mr. Standard asked when it will start. Mr. Graham stated it should be in December or January. At that time we will go into pre-construction.

14. ATTORNEY – DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING

NO MEETING SCHEDULED
FOR NOVEMBER

TIME:

LOCATION:

Mayor Jerkins stated, one thing I would like to discuss. We did get the property from Prissy Dean and it has been cleaned off. Mr. Bowens department cleaned it off and it looks good. We did close on the property and I don't think I had mentioned this to you. As soon as we get time we will start taking the building down across from the grocery store if everyone is o.k. with this. Especially, the sides of it because we are not going to have any funds available to redo it. We will start taking it down because it does look pretty bad. As soon as the inmates get some of the work caught up with the Christmas lights and decorations we will start working on that building. Mayor Jerkins asked the Council Members if anyone had any questions or discussion.

Mr. Standard stated he had one thing to mention. There will be a Public House on the new Flood Plain Maps on Tuesday, November 22, 2011 at 5:00 P.M. to 7:00 P.M. at the Threadmill Complex.

16. ADJOURN

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to adjourn the meeting. Seconded by Ms. Reagan. Motion passed (6-0).